



**Town of Fort Mill Town Council  
Regular Meeting Minutes  
June 13, 2016  
7:00 pm**

**Present:** Mayor Savage, Councilman Huntley, Councilman Helms, Councilman Shirey, Councilman Moody, Councilwoman Heemsoth and Councilwoman McCarley, Dennis Pieper, Manager and Virginia Burgess, Town Clerk, were present.

**The following press was notified of the meeting by email or fax in accordance of the Freedom of Information Act: The Herald; CN2; WRHI; Fort Mill Times and WBTV. The agenda was also posted on the board outside of the entrance to Town Hall the required length of time and on the Town website.**

Mayor Guynn Savage opened the meeting and led the pledge of allegiance.

Councilman Helms gave the invocation.

**MINUTES**

Town Council Meeting Minutes for 5-23-2016

Town Council Meeting Minutes for 6-7-2016

Councilman Huntley made a MOTION to approve the Minutes of the Town Council's May 23, 2016 and June 7, 2016 meeting minutes. SECONDED by Councilman Helms. Passed 7-0.

**PRESENTATIONS**

**Presentation #1**

Appointment of Associate Municipal Judge Trevor Threet

Mayor Savage administered the Oath of Office to Trevor Threet as a Municipal Judge for the Town of Fort Mill.

**Presentation #2**

May Financials - Chantay Boulter, Finance Director

Chantay Bouler, Finance Director, went over the financial statements for the month of May, 2016.

## PUBLIC HEARING

### Public Hearing Item #1

An ordinance annexing York County Tax Map Numbers 661-00-00-002, 708-00-00-017, 708-00-00-018 (less and except a 0.98-acre portion of York County Tax Map Number 708-00-00-018 described in deed of 1/3 interest to John M. Spratt recorded in Deed Book 1715 Page 123), and 661-00-00-014, containing in the aggregate approximately 688 +/- acres located at or near Spratt Street (U.S. Highway 21 Business), Brickyard Road and Fort Mill Parkway. (*Ward 1: Shirey*)

Mayor Savage opened the floor to Public Hearing #1. The following citizens came forth to speak:

- 1) Michael Obrien, 372 Sweetgum Drive, Fort Mill, SC, spoke about the architectural integrity of the homes being built. He would like to see more custom built homes instead of cookie cutter development.
- 2) Al Rogat, 106 Cresthaven Lane, Fort Mill, SC, spoke about making contractors responsible for mud on the roads around their construction sites. He would like to see ACH payments being added for utility payments. Regarding the annexation, he stated that we need industry not homes.
- 3) Mike Maynard, 2023 Dogwood Lane, Fort Mill, SC, spoke about having bicycle lanes available in the proposed area to help detour traffic and parking problems.
- 4) Robert Woodson, 136 Doby Creek, Fort Mill, SC, spoke in opposition to the annexation of this property because it would be irresponsible to support more growth.
- 5) Joey Bates, 102 Brickyard Road, Fort Mill, SC, spoke about the need for speed bumps to slow traffic down. He feels that the fast traffic is a safety concern.
- 6) Chris Bott, 105 Bubbling Creek, Fort Mill, SC spoke about his concern about more construction mess, crowding of roads and decreased quality of life.
- 7) Steve Goudy, 1364 Kings Bottom Drive, Fort Mill, SC, spoke about losing the small town feel. He is concerned about increased traffic. This will create the need for more schools, police force and entire infrastructure.
- 8) Matt McNeely, 1147 Bontager Trail, Fort Mill, SC spoke about his concern for a burned house in his neighborhood of Dominion Bridge. He said that it is a health concern and decreases property values.
- 9) Dan Evans, 1035 Rolling Park Lane, Fort Mill, SC, spoke in favor of the annexation and the development of the Spratt property. He stated that the land donated for parks will help with the need for more ball fields. He is in favor of the revenue that it will bring.
- 10) Emily Guin, 101 Brickyard Road, Fort Mill, SC spoke in opposition of the annexation because of the many homes that it will bring.
- 11) Charlotte Mayer, 207 Whitmyre, Fort Mill, SC did not come forward to speak.
- 12) Will Head, 302 Spratt Street, Fort Mill, SC, spoke in opposition of the development of more homes because of traffic concerns.

### Public Hearing Item #2

An ordinance amending the Zoning Map of the Town of Fort Mill so as to change the zoning designation for York County Tax Map Numbers 020-06-01-050, 020-01-21-002 and 020-01-22-012, such parcels containing approximately 23.15 +/- acres located at or near Kanawha Street and Brickyard Road, from R-10 Residential and R-15 Residential to MXU Mixed Use. *(Ward 1: Shirey)*

Mayor Savage opened the floor to Public Hearing #2 and no one came forth to speak.

### Public Hearing Item #3

An ordinance authorizing the entry by the Town of Fort Mill into a Development Agreement with Kanawha Land, LLC, for property located at York County Tax Map Numbers 661-00-00-002, 708-00-00-017, 708-00-00-018 (less and except a 0.98-acre portion of York County Tax Map Number 708-00-00-018 described in deed of 1/3 interest to John M. Spratt recorded in Deed Book 1715 Page 123), 661-00-00-014, 020-06-01-050, 020-01-21-002 and 020-01-22-012, such parcels containing approximately 714 +/- acres located at or near Spratt Street (U.S. Highway 21 Business), Brickyard Road, Kanawha Street and Fort Mill Parkway; authorizing the execution and delivery of such Development Agreement; and other matters relating thereto. *(Ward 1: Shirey)*

Mayor Savage opened the floor to Public Hearing #3. The following citizens came forth to speak:

- 1) Al Rogat, 106 Cresthaven Lane, Fort Mill, SC spoke about his concern that there is not enough information available to the public for them to come and speak about it. Dennis Pieper, Town Manager did address his concern stating that the maps and development plans are all on the Town's website for public viewing. Mr. Rogat also stated that the developer should have to agree to add more traffic lanes and pay for two new schools.
- 2) Robert Woodson, 136 Doby Creek, Fort Mill, SC, asked when the first actual meeting was held with Planning Commission about this development.

### Public Hearing Item #4

A resolution annexing York County Tax Map Number 708-00-00-021, containing approximately 1.0 +/- acre at 969 Archie Street. *(Ward 1: Shirey)*

Mayor Savage opened the floor to public hearing #4 and no one came forth to speak.

### Public Hearing Item #5

An ordinance annexing York County Tax Map Number 737-00-00-073, containing approximately 3.62 +/- acres located at 1474 SC Highway 160 E. *(Ward 3: Huntley)*

Mayor Savage opened the floor to public hearing #5 and no one came forth to speak

## OLD BUSINESS

There were no Old Business items.

## NEW BUSINESS

### New Business Item #1

An ordinance annexing York County Tax Map Numbers 661-00-00-002, 708-00-00-017, 708-00-00-018 (less and except a 0.98-acre portion of York County Tax Map Number 708-00-00-018 described in deed of 1/3 interest to John M. Spratt recorded in Deed Book 1715 Page 123), and 661-00-00-014, containing in the aggregate approximately 688 +/- acres located at or near Spratt Street (U.S. Highway 21 Business), Brickyard Road and Fort Mill Parkway. (*Ward 1: Shirey*)

Joe Cronin, Planning Director, went over the map outlining the four (4) parcels involved with this annexation request. He stated that the first three (3) Business Items listed on the agenda correspond with the same project. He explained that this Ordinance was an annexation to bring these parcels of land into the town limits of Fort Mill.

Councilman Huntley stated that he would like to make a few comments. He explained that when Baxter was first conceived, the Fort Mill Town Council was asked to bring water and sewer under the bridge to serve them. Town Council denied the request because of the concerns of too much growth. He stated that there is not one less house, not one less car and not one less child is in the Fort Mill Schools because they denied their request. He said that our choice is not to accept the agreement and nothing will be built because the owners can petition and Rock Hill bring it into their City and the land will still be developed without any oversight or nay tax dollars coming to Fort Mill. He stated that Council has to look at the situation and decide what is best for Fort Mill.

Councilwoman McCarley confirmed with Joe Cronin some information about this annexation. She confirmed that the land is presently in York County so the owners could leave it in the County and let County Council make decisions on the land. She noted that no one on County Council lives within the Fort Mill town limits. She stated that the other two options would be to let Rock Hill or Fort Mill annex the property. She confirmed with Mr. Cronin that Rock Hill can, in fact, annex this property and if they do so, the children from this property will still be attending Fort Mill Schools. She said that the traffic will still be here if we don't annex the property into Fort Mill. She said that council serves because they are passionate about this town and that the passion of this Council is far more than the other two (2) entities that could have control over this process.

Councilman Shirey made a statement that Council takes every decision seriously with the highest and best intentions no matter who the request comes from or how much land is involved. He said that roads don't make Fort Mill great, the people do and that is why the public was here attending this meeting, because they care.

Councilman Moody stated that he has lived here for fifteen (15) years and wants to stay here the rest of his life. He said that he appreciates everyone's input and willingness to care for the town.

Councilwoman Heemsoth said that Council would like to see a full house like this for every meeting. She moved here when she was twelve (12) years old and Fort Mill has grown but she is not leaving. She said that they are making the best decisions they can for the citizens of Fort Mill.

Councilman Helms made a statement that he has lived here all of his life and graduated Fort Mill High School in 1966, 50 years ago. He said that York County has already given Mr. Spratt permission to build these homes whether we approve them or not. He said that they are trying to make the best decisions for the Town of Fort Mill.

Mayor Savage spoke to the citizens saying that she has lived in Fort Mill for sixty (60) years and nearing 10 years of serving on Council. She said that the Town is very near and dear to all of the Council Members and that they have welcomed everyone after them and accommodated that they wanted to be here. She said that they have been very thorough with this process and are asking for as many concessions and lessening of impact as possible for the citizens.

Councilwoman McCarley made a MOTION to approve First Reading of New Business Item #1. SECONDED by Councilman Helms. Passed 7-0.

#### **New Business Item #2**

An ordinance amending the Zoning Map of the Town of Fort Mill so as to change the zoning designation for York County Tax Map Numbers 020-06-01-050, 020-01-21-002 and 020-01-22-012, such parcels containing approximately 23.15 +/- acres located at or near Kanawha Street and Brickyard Road, from R-10 Residential and R-15 Residential to MXU Mixed Use. *(Ward 1: Shirey)*

Mr. Joe Cronin stated this land is already in the town limits and that this Ordinance was to change the zoning from R-15, which is single family residential to MXU Mixed use. He stated that Mixed Use would give flexibility to retail and restaurants.

Councilman Shirey made a MOTION to approve First Reading of New Business Item #3. SECONDED by Councilwoman McCarley. Passed 7-0.

#### **New Business Item #3**

An ordinance authorizing the entry by the Town of Fort Mill into a Development Agreement with Kanawha Land, LLC, for property located at York County Tax Map Numbers 661-00-00-002, 708-00-00-017, 708-00-00-018 (less and except a 0.98-acre portion of York County Tax Map Number 708-00-00-018 described in deed of 1/3 interest to John M. Spratt recorded in Deed Book 1715 Page 123), 661-00-00-014, 020-06-01-050, 020-01-21-002 and 020-01-22-012, such parcels containing approximately 714 +/- acres located at or near Spratt Street (U.S. Highway 21 Business), Brickyard Road, Kanawha Street and Fort Mill Parkway; authorizing the execution and delivery of such Development Agreement; and other matters relating thereto. *(Ward 1: Shirey)*

Mr. Hank Burney, developer, spoke about the plans for the Development Agreement with Kanawha Land, LLC. He stated that the County presently has the land zoned for light industrial use and presumes that it will employ around 9,000 workers. He showed an interactive excel trip generation spreadsheet from the traffic engineers. This compared total trips per day for residential use of 2900 homes at 24,249 trips per day to commercial at 27,180 trips per day. According to this data, there would be 2931 less one way trips for residential use versus light industrial use. He also added that the type of vehicles for light industrial use would be heavier trucks, mostly 18 wheeled vehicles versus smaller personal vehicles for residential use.

Mr. Burney explained that there would be an impact but they are trying to mitigate the impacts by having mixed use. They are donating over fifty (50) percent greenspace, public access to the Catawba River, parks and even a donation of land for the expansion of the town's water and sewer plant.

Mr. Cronin added that this has a twenty (20) year build out plan so it will be spread out over a long period of time. He stated that this is just the first step to put the framework and parameters in place.

Councilman Huntley made a MOTION to approve First Reading of Business Item #3. SECONDED by Councilman Shirey. Passed 5-1. Councilman Moody opposed. Councilman Huntley stepped out of the meeting for a short period and was not present for the final vote.

#### New Business Item #4

An ordinance annexing York County Tax Map Number 737-00-00-073, containing approximately 3.62 +/- acres located at 1474 SC Highway 160 E. (*Ward 3: Huntley*)

Mr. Cronin stated that this is a request from the applicant to be annexed into the Town of Fort Mill with a zoning destination of Highway Commercial. He stated that this property is contiguous to the town limits at the back of the property. He also said that the Highway Commercial destination is also consistent with the Comprehensive Plan so it has approval from the Planning Commission and staff.

Councilman Shirey recused himself from the voting of this item.

Councilwoman McCarley made a MOTION to approve Business Item #4. SECONDED by Mayor Savage. Passed 6-0.

#### New Business Item #5

A resolution certifying a twenty-five (25%) percent annexation petition for the annexation of property known as Huntington Place (Phases I, II and III), Copper Creek at Huntington (Phase IV) and Cobblestone at Huntington. (Phase V) (*Ward 4: Moody*)

Mr. Cronin explained that the Huntington developments have submitted a petition of 25% of their homeowners requesting annexation into the town limits. The Board of Voter Registration has sent notice of certification that it is a valid

petition. This Resolution is certifying that this is indeed a valid petition and is calling the County to hold an election of these homeowners to see if they would like to be annexed into the town limits of Fort Mill.

Councilman Shirey made a MOTION to approve the Resolution in New Business Item #5. SECONDED by Councilman Moody. Passed 7-0.

#### **New Business Item #6**

Termination of lease agreement between Process Properties, LLC and the Town of Fort Mill.

Mr. Pieper, Town Manager, explained to Council that this is an old lease agreement for the theater property that nothing was ever done with. Termination of this lease will enable this building to be improved and renovations to be made by the owners.

Councilwoman McCarley made a MOTION to approve the termination of the lease agreement between Process Properties, LLC and the Town of Fort Mill. SECONDED by Councilman Shirey. Passed 7-0.

### **COMMITTEE REPORTS**

There were no Committee reports.

### **INFORMATION/DISCUSSION ITEMS**

#### **Information/discussion item #1**

An ordinance adopting a Unified Development Ordinance for the Town of Fort Mill. This will be a brief notification that the UDO Advisory Committee and Planning Commission have endorsed the draft UDO (with amendments), and a request to schedule the first council workshop.

Joe Cronin explained to Council that the UDO Advisory Committee and Planning Commission have now endorsed the draft UDO and are now ready to move it through Council for their review and approval.

#### **Information/discussion item #2**

Discussion of road priorities for the July 20<sup>th</sup> presentation to the York County Pennies for Progress Commission. We will hand out our recommended priority list, and determine whether council would like to schedule a workshop.

Mr. Cronin stated that he needs direction for Council as far as if they want to accept the proposed priority list from staff or if they would like to further discuss it in a workshop.

Mayor Savage encouraged Council Members to review the list and give feedback on any additional roads that they may want to see added to the list.

### **EXECUTIVE SESSION ITEMS**

There were no Executive Session items.

**ADJOURN**

Councilwoman McCarley made a MOTION to adjourn. SECONDED by Councilwoman Heemsoth. Passed 7-0.

The meeting adjourned at 9:23 pm.

Respectfully Submitted:



Virginia C. Burgess  
Town Clerk

Approved by Council:

7/27/16